

- 1) What happens if there is only one proposal?

If only one detailed proposal is submitted in response to the RFDP, VDOT will proceed with Phase 3 of the Implementation Guidelines, revised April 2001, which is the procurement guideline this project is following. The said guidelines do not preclude a proposal from detailed evaluation due to a competing proposal(s) not being submitted. VDOT will still seek the recommendations of the Advisory Panel and CTB. Then also seek a final decision by the Commissioner.

- 2) Will a proposal that recommends a concession be accepted?

Yes, VDOT will accept a proposal which has a concession as part of the submitted financial plan. All aspects of the detailed proposals, including the financial plan will be subject to negotiations during that phase of the procurement process.

- 3) We desire to have Skanska Infrastructure Development (SID) replace Skanska USA as a leader of the project. Is this a problem, and are any special approvals needed to do this.

Please refer to Section 3.1.2, which states if a proposer desires to make a change to their organizational structure, key personnel or other information submitted in the conceptual proposer they must notify VDOT of such changes in the Detailed Proposal submittal.

- 4) Has VDOT reconsidered some compensation for the unsuccessful proposer (e.g. stipend, purchase of engineering product)?

No, VDOT recognizes and appreciates the risk and investment imparted on both partners in their participation in the public-private partnership procurement process. However, VDOT will not guarantee anything more than as stipulated in the RFDP.

- 5) Will an interim comprehensive agreement be executed with the successful proposer in such a manner that all post-selection costs are reimbursed, even if the project is cancelled by VDOT?

VDOT does not guarantee anything more than as provided in the reservations of rights as listed under Section 8.0 of the RFDP. VDOT **may** enter into an interim agreement under which compensation **may** include a reasonable development fee

and/or reimbursement of development expenses in the event of termination for convenience by VDOT.

6) When will the Record of Decision expire?

A ROD does not expire. However, a written re-evaluation of the FEIS will be required before further approvals may be granted if additional major steps to advance the project (i.e., FHWA authorization of final design, acquisition of significant portions of R/W, or approval of the PS&E) have not occurred within 3 years after the FEIS or last major FHWA approval action (in this case, a re-evaluation of the FEIS was completed by VDOT in 2003).

7) Tolling either new or existing facilities is viewed as a major risk. Would VDOT clarify its participation at both the state and federal levels to modify laws and/or obtain FHWA approval for a program that will permit tolling?

This is similar to a question VDOT included in the RFDP, “Explain the type of Federal interaction and state and local coordination required” (for tolling approval)? Additionally, we ask each proposer to submit a Value Pricing Plan for tolling existing and new facilities?

What laws need to be modified? VDOT is committed to the project, then VDOT is committed to gaining FHWA approval of a tolling agreement.

Virginia is one of the 15 states participating in the FHWA Value Pricing Pilot Program focused on managing congestion, and because of this Virginia is able to use variable tolling on different facilities across the Commonwealth, including interstates. VDOT will coordinate closely with FHWA in complying with federal and state laws in order to toll existing roads. Once a Proposer is selected, VDOT will then utilize the information from the selected Proposer’s value pricing plan to request federal approval to permit tolling of existing roads in accordance with 23USC129. In this guideline, FHWA outlines the general provisions VDOT will be adhering to during the approval process.

8) What is VDOT’s view of the political issue?

General Discussion.